The Ideal Construction of Legal Ownership of Land Rights in the Administrative System of the National Land Agency

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Abstract

Legal certainty as proof of land rights, according to Government Regulation Number 24 of 1997 concerning Land Registration and Government Regulation 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, Legal certainty as proof of land rights is that there is a land registration process that guarantees legal certainty. The method used in this research is descriptive-analytical, with the main approach being normative juridical. Electronic registration, carried out by the Land Office based on Government Regulation Number 18 of 2021, has been very helpful in registering land rights or updating data in the transfer of ownership. However, there are still many obstacles or problems due to human error, such as a lack of Human Resources who are not ready and servers that often experience trouble or difficulties, thus complicating and hindering the land registration process. There must be coordination at all levels in the land registration process at the land office, where the land registration system is crucial for the validity of the documents to avoid overlapping ownership evidence, causing legal uncertainty. The land registration system in Indonesia should adhere to the principle of positive publicity with positive tendencies.

Keywords: *BPN Administrative System, Land Rights.*

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A. INTRODUCTION

Protection of human rights, separation or division of powers, government based on laws and regulations, and administrative justice in conflicts are hallmarks of a rule of law state (rechsstaat). Although the spirit or philosophy of a rule of law state differs from country to country, its essence remains the same, meaning that every holder of authority in the state must base their duties and authorities on the applicable written and unwritten legal norms. In other words, the objective is identical: "the attainment and protection of the freedom of the individual human against the arbitrariness of collective power" (Asrun, 2020).

The 1945 Constitution explicitly states that the State of Indonesia is based on the law (rechtsstaat), not based on sheer power (machtsstaat). This is confirmed in Article 1, paragraph (3) of the 1945 Constitution, third amendment (3), which reads: "Indonesia is a state based on law". The follow-up to the rule of law concept is to create people's welfare, one of which is through protecting human rights to land ownership rights (MP, 2020).

People's welfare is the goal of administering the government of the Unitary State of the Republic of Indonesia. The purpose of administering the government has

been stated in the preamble of the fourth paragraph of the 1945 Constitution of the Republic of Indonesia (1945 Constitution), among other goals of the state, but some of the purposes of the state also lead to its main goal, namely advancing the general welfare. For this reason, all resources and efforts have been made to realize the objectives of administering the State (Suharto, 2020).

Since the beginning of the commitment to establish the Republic of Indonesia, the founders of this country have understood the socio-economic and cultural structure of the Indonesian people, the majority of whom live in rural areas and are mired in poverty. They also had extensive knowledge and insights regarding the theories and schools of thought that were developing in the world at that time (Dimyati et al., 2021). This deep understanding inspired the founding fathers when they agreed on the understanding of a welfare state based on the Pancasila state, the 1945 Constitution, and was further elaborated in Law Number 5 of 1960 concerning Basic Agrarian Regulations, which was an important milestone in the political history of national agrarian law because the legal product contains a strong political determination to dismantle the colonial-style land tenure structure into a control and utilization structure that can create prosperity for all Indonesian people (Hage & Ningrum, 2022).

The legal ideals of the founders of the Republic of Indonesia established authority for the state to control the earth, water, and the natural wealth contained therein. To fully understand the substance and soul of the UUPA framework, it must enter into the state's great vision and basic soul, namely Pancasila and the 1945 Constitution. Pancasila is the formulation of the essence of the entire national philosophy that underlies the country's development, while the 1945 Constitution is the highest basic law which is the guideline and reference for all statutory regulations (Amatullah et al., 2020). Pancasila is the foundation and spirit that enlivens the UUPA, while the 1945 Constitution is the basic standard that frames and directs it. Pancasila and the 1945 Constitution contain basic values, which are the crystallization of the values they aspire to and will continue to strive for. These values are independence, equality, sovereignty, justice, peace, and prosperity (Sabara, n.d.).

In the context of national growth, to establish a just and affluent society based on Pancasila and the Republic of Indonesia's 1945 Constitution. Land is also one of the most valuable assets, both as a tool for implementing development and as a factor in the manufacture of trade goods required to raise national income (Roestamy et al., 2022).

The Republic of Indonesia has laid the political basis for National Agrarian law, as contained in the provisions of Article 33 paragraph (3) of the 1945 Constitution, which reads: "Earth, water, and the natural resources contained therein are controlled by the state and used for the greatest prosperity of the people". In the Elucidation of Article 33 paragraph (3) of the 1945 Constitution before the amendment, it was stated that: the earth, water, and the natural resources contained therein are the main points of people's prosperity (Widiyono & Khan, 2022). Therefore, it must be controlled by the state and used for the greatest prosperity of the people. On September 24, 1960, a

legal provision governing land was issued, namely Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA), which is still used as a legal basis in the land process in Indonesia.

Land is one of Indonesia's most valuable assets for attaining national objectives. Land is essential to establishing a just and thriving society based on Pancasila and the Constitution of 1945. One of the tenets of the rule of law is the guarantee of legal certainty, legal order, and legal protection, which embodies the values of truth and justice through providing guarantees and protecting citizens' rights. What is written in the Constitution of 1945, in addition to having a very high legal standing, also has philosophical significance in the life of the nation and state (Wibowo, 2019). All policies of state administrators in the field of economy and land, including all branches of production and management of earth, water, and all the natural wealth contained therein, as well as the implementation of policies in the form of systems and services in the land sector, must adhere to the Pancasila and the 1945 Constitution (Mahdi, 2022).

The purpose of enacting the UUPA as a policy in the form of a system or service in the land sector is contained in the General Explanation of the UUPA:

1. Laying the foundations for drafting the National Agrarian Law will be a tool to bring prosperity, happiness, and justice to the state and the people, especially the peasantry, within the framework of a just and prosperous society.
2. Laying the foundations for unity and simplicity in land law.
3. Laying the foundations to provide legal certainty regarding land rights for the people (Hidayanti et al., 2021).

The follow-up of the implementation of the UUPA as a form of service to the community to obtain proof of ownership of land rights are:

1. Public services are regulated through Law Number 30 of 2014 concerning Government Administration and Law Number 5 of 2014 concerning State Civil Apparatuses as bureaucratic apparatus. Services carried out by bureaucratic apparatus (government) can be said to be public services as stipulated in Law Number 25 of 2009 concerning Public Services because government officials are responsible for providing the best service to the community in the context of creating community welfare. Public service is a process that includes several elements, namely the existence of the people served, the officers who do, and the types of services provided. Public services contain things substantially different from services carried out by private parties. Public services encompass numerous facets of life. In state life, the government delivers numerous public services required by the community, beginning with regulatory services or other community-oriented services, in this case land registration.
2. Land registration is regulated through Government Regulation Number 24 of 1997 concerning Land Registration and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights Rights, Flats Units, and Land Registration (Tr, 2021).

Land registration is a very important issue in the UUPA because land registration is the beginning of the process of producing proof of ownership of land rights (Article 1 Paragraph (1) PP No. 24 of 1997). The issue of land registration is so important that the UUPA orders the government to register land in all parts of Indonesia. This is following the provisions in Article 19 of the UUPA stated as follows:

1. To ensure legal clarity, the government shall conduct land registration on the entire area of the Republic of Indonesia in accordance with the Government Regulations.
2. The registration referred to in paragraph (1) of this article includes the following:
   a. Measurement, mapping, and bookkeeping of land;
   b. Registration of land rights and the transfer of said rights;
   c. Granting of letters of evidence of ownership, which are valid as a strong means of proof.
3. According to the concerns of the Minister of Agrarian Affairs, land registration takes into account the condition of the state and society, the need for socioeconomic traffic, and the feasibility of its implementation.
4. The Government Regulation regulates the costs related to the land registration referred to in paragraph (1) above, provided that people who cannot afford it are exempt from paying these fees (Ansori et al., 2022).

Issues with land registration can lead to state administrative disputes and lawsuits in the district court. Proof by other parties is carried out by filing a lawsuit in court because the certificate has 2 (two) sides, namely on the one hand, in civil terms, the certificate is proof of ownership; on the other hand, a certificate is a form of decision that is of a nature of determination (beschiking) issued by the Head of the Land Office as a State Administrative Officer. Beschiking is a form of recognition of land ownership rights for the owner. Certificates issued are also declaratory, i.e., a decision to recognize something already existing and is granted because it meets the specified requirements (Ramadhani & Lubis, 2021).

According to the UUPA and Government Regulation Number 24 of 1997 concerning Land Registration and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, the purpose of land registration is to provide holders of land rights with legal certainty and legal protection. This legal certainty and protection is evidenced by a Land Book and Land Certificate, which consists of a copy of the Land Book and a measurement letter (Martono et al., 2021).

After the relevant agency issuance of a land title certificate, in this case, the National Land Agency does not guarantee that the party whose name is listed on the certificate cannot be sued by other parties who feel they have the same land rights. This is because the land registration system adopted by the UUPA is a negative registration system, where different parties who feel they have stronger rights, accompanied by the evidence they have, can file a lawsuit in court. If this evidence can be proven, the certificate issued can be canceled. A certificate of land rights is absolute

proof. This means that if there is an error in the certificate, it is still possible to correct it through cancellation (Salni, 2022).

Based on the brief explanation above, the researcher then intends to look at how the legal certainty of proof of land rights is according to Government Regulation Number 24 of 1997 concerning Land Registration and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land registration, as well as how the public and administrative service system at the Ministry of Agrarian Affairs and Spatial Planning (ATR)/National Land Agency (BPN) in issuing evidence of land rights as the basis for proof of ownership of land rights.

B. LITERATURE REVIEW

1. Legal Certainty

Gustaf Radbruch's "Priority Standard Teachings" proposes three fundamental concepts of law or purposes of law: justice, benefit, and legal certainty. Justice is the most important of the three criteria, but that does not mean the other two may be disregarded. A good legislation is one that balances these three factors for the well and development of society (Mubayyinah, 2019). According to Radbruch, "legal certainty is a condition in which the law can function as an enforceable rule." The law is responsible for establishing legal certainty since it seeks to establish social order. Legal certainty is an attribute that cannot exist apart from the law, particularly for written legal terminology (Sucipta & Darma, 2022).

According to Fence M. Wantu, "law without the value of legal certainty will lose significance because it can no longer be utilized as a guide for everyone's behavior." Legal certainty is described as the clarity of norms so that they can be utilized as guidelines by those governed by this law. The definition of certainty is clarity and resoluteness in enforcing the law in a community. This is to avoid a great deal of misunderstanding (Atmojo & Ginting, 2022).

According to Van Apeldoorn, "legal certainty might also refer to concrete matters that can be resolved by law." Legal certainty ensures that the law is enforced, individuals entitled under the law can achieve their rights, and decisions can be carried out. Legal certainty is a reasonable safeguard against arbitrary actions, as it ensures that an individual will receive an expected benefit under specific conditions. Grammatically, certainty is derived from the word definite, which signifies that something is fixed, must, and certain (Poesoko & Dewi, 2020). In the Big Indonesian Dictionary, certainty is a topic (state) that is certain (already fixed), provisions, or stipulations, whereas the definition of law is a country's legal instrument that guarantees the rights and responsibilities of every citizen. Therefore, legal certainty is a provision or provision provided by the legal instruments of a country that can ensure the rights and obligations of every citizen. Legal certainty is the application of a law that is explicit, permanent, and consistent, and whose application cannot be altered by subjective conditions (Satino & Putri, 2022).

Citing the opinion of Lawrence M. Friedman, a professor at Stanford University asserts that "legal certainty" must be backed by at least the following elements: legal

content, legal machinery, and legal culture. Sudikno Mertokusumo noted that legal certainty is one of the elements that must be met in law enforcement, meaning that it is justifiable against arbitrary actions, which indicates that an individual will be able to acquire something that is anticipated under specific conditions (Yanto, 2022).

Sumardjono states, regarding the concept of legal certainty, that "normally, legal certainty requires a set of practical statutory provisions that support their application." By supporting human resources, laws and regulations must be applied empirically in a consistent manner. Legislation is enacted and propagated with assurance because it regulates in a clear and logical manner (Rangkuti et al., 2022). Clear in the sense that it does not give birth to ambiguity (many interpretations) and is logical so as to form a system of norms with other norms that do not conflict or give rise to norm conflicts. Norm conflict caused by rule ambiguity might manifest as norm dispute, norm diminution, or norm distortion. Real legal certainty exists when statutes can be implemented in accordance with legal principles and standards (Kello, 2021).

C. METHOD

The method used in this research is descriptive-analytical, with the main approach being normative juridical. This type of empirically supported normative juridical research is research by examining normatively applicable legal rules governing the land sector to examine its application in society. The data in this study comes from previous research and legislation that still has relevance to the contents of this study.

D. RESULT AND DISCUSSION

1. Legal Certainty Proof of Land Rights According to Government Regulation Number 24 of 1997 concerning Land Registration and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration

Legal certainty of certificates of land rights, including the status of registered land rights, legal certainty of the subject of land rights, and legal certainty of the object of land rights. Legal certainty of certificate of land rights issued by PP no. 24 of 1997, which adheres to a negative publication system with a positive tendency: Whereas a certificate of land rights is a strong but not absolute proof of title. This can be seen in the elaboration of the provisions of Article 19 Paragraph (2) letter c, Article 23 Paragraph (2), Article 32 Paragraph (2), and Article 38 Paragraph (2) UUPA, that "the land registration publication system adopted is a negative publication system, namely the certificate is only a strong proof of rights and not an absolute proof of rights". Even though the provisions of Article 32 Paragraph (1) PP No. 24 of 1997 states: "A certificate is a letter of proof of rights that applies as a strong means of evidence regarding the physical data and juridical data contained therein, insofar as the physical data and juridical data are following the data contained in the measurement certificate and land title book concerned.

Weaknesses of PP No. 24 of 1997, which adheres to a negative publication system with a positive tendency, including 1) "The state does not guarantee the accuracy of the physical data and juridical data presented, and there is no guarantee for certificate owners because at any time they will get a lawsuit from other parties who feel aggrieved over the publication certificate". 2) In a negative publication system, certificates of land rights are not the only evidence of land ownership that is received by the court, if a lawsuit occurs by proving it with other evidence, then "the court has the authority to decide which evidence is correct and if it is proven that the certificate is not correct, then changes and corrections are made as appropriate.

The certificate of land rights has strong evidence that the existence of the certificate must follow the condition of the land, that between the certificate and the land, there must be a match both the boundaries, location, or the area of the land must be stated in the certificate. If the certificate of land rights and the condition of the land do not match, then a dispute over rights will arise at any time. This right dispute can be used as a basis or can give rise to a lawsuit about the certificate's validity.

One of the objectives of promulgating the Basic Agrarian Law is to lay the foundations for providing legal certainty regarding land rights for the people. To realize this goal is carried out through land registration activities by the government and holders of land rights.

The purpose of promulgation of the Basic Agrarian Law is stated in the General Explanation, namely:

a. Laying the foundations for drafting the National Agrarian Law, which will be a tool to bring prosperity, happiness, and justice to the state and the people, especially the peasantry, in the framework of a just and prosperous society;
b. Laying the foundations for establishing unity and simplicity in the Land Law;
c. Laying the foundations to provide legal certainty regarding land rights for the people.

Article 19 of the Basic Agrarian Law regulates land registration carried out by the government, namely:

a. To guarantee legal certainty, the government will conduct land registration throughout the territory of the Republic of Indonesia according to the provisions stipulated by Government Regulations.
b. The registration in paragraph (1) of this article includes:
   1). Measurement, mapping, and bookkeeping of rights
   2). Registration of land rights and transfer of said rights
   3). Giver of letters of proof of rights, which are valid as a strong means of proof
c. Land registration is carried out taking into account the condition of the state and society, the need for socio-economic traffic, and the possibility of its implementation, according to the Minister of Agrarian considerations.
d. The Government Regulation regulates the costs related to the registration referred to in paragraph (1) above, with the condition that people who cannot afford these fees are exempted.

Proof of land rights in Indonesia is very complex because no traditions or

regulations state the obligation to register the land. Many land rights do not have written evidence or are only recognized under certain circumstances as a person's rights based on customary rights and are recognized by the owner of the land boundary.

With the statement in Article 32 paragraph (2) PP No. 24 of 1997, the certificate is a strong means of proof and that the purpose of land registration being held is in the framework of guaranteeing legal certainty in the land sector to have a visible and practical meaning, even though the publication system used is negative. These provisions do not reduce the principle of equal protection, both for parties who own land that is controlled and used properly or for parties who obtain and control it in good faith and are confirmed by the registration of the land in question. In this negative principle, even though it is only limited to 5 years, it is the best in land registration. That is, based on the provisions of Article 32 Paragraph (2) of the Government Regulation above, basically, the negative publication system in Indonesia is only valid for five years. After the certificate has been issued for five years by the competent authority and in good faith, the certificate holder obtains and controls the land, and the publication system becomes positive.

If the provisions of Article 32 paragraph (2) PP Number 24 of 1997 concerning Land Registration are seen from the concept of individual rights according to customary law concerning ulayat rights, then in terms of traditional values prevailing in society. The five-year figure has always measured an individual's authority over the land. In customary land law, if someone who previously controlled a plot of land and has five years no longer controls his land, it means that he does not occupy and maintain his land, then the individual rights can be weakened and even erased so that the land then returns to the status of customary rights (back to being communal rights/common rights of customary law communities), in the sense that other members of the community can control and then own the land individually as well.

2. Public Service and Administration System at the Ministry of Agrarian Affairs and Spatial Planning (ATR)/National Land Agency (BPN) in Issuing Proof of Land Rights as Proof of Ownership of Land Rights

In the public service system related to the implementation of land registration activities as proof of ownership of land rights, there are 8 (eight) types, namely:

a. Registration of deeds

   Those deeds are registered by the Land Deed Making Officer (PPAT) if the registration of the PPAT deed is passive and he does not verify the correctness of the data in the registered deed.

b. Registration system

   The right of each grant or creation of new rights, as well as their transfer and encumbrance, must be proven by a deed, in the deed, the juridical data of the land itself are contained, legal defects in a deed can result in the invalidity of the legal action.

c. Torren Act
A simpler system that allows people to obtain information easily without conducting a title search on existing deeds, Robert Richard Torrens created the registration system of titles. According to this system, the certificate of land rights is the complete evidence of the owner's rights, which are stated in it and cannot be contested. It is not possible to change the land book except when obtaining a certificate through forgery in writing or obtained by fraud.

d. Publication System
In carrying out a legal cadaster, the holder of land rights is given letters of proof of title, with this proof of right, the owner of the right can easily prove that he is the owner of the land in question. Existing data is open to the public who need it so that potential buyers or creditors can easily obtain the information required to secure legal actions taken.

e. Specialty system
This system explains that the rights of a person whose name is listed in the certificate must be specifically detailed, where the land is located so that it can be traced. It is not enough to state that a person has one land right in a certain village/regency, it must be explained where the location of the land is, province, district/city, sub-district, and village or regency and then more clearly accompanied by pictures of land that meet the geodetic requirements.

f. Cadastral rechts system (rights cadastral)
Cadastral rechts, or right cadastral, is a cadastral form established to guarantee legal certainty and land protection. In legal traffic (Rechts Verkeer) regarding land rights, the government establishes a body or legal institution called rechts cadastral or rights cadastral. Activities carried out include collecting information or conducting an inventory of:
   1). Land rights (the legal status of land rights)
   2). Who is the right holder (subject of the right)
   3). With this activity data, other rights and burdens on the land will be obtained.
   4). Activities in the technical field of geodesy are in the form of measuring and mapping land, with the results of maps of land ownership and measurement letters with activities that obtain certainty of the location, boundaries, and area of land, which is the object of land rights.
   5). Activities in the field of administration, in the form of continuous bookkeeping of activities in the general register.
   6). Provision of letters of evidence and provision of information and services to interested parties regarding all matters relating to rights or as listed in the public register.

g. Rights bookkeeping system
As explained above, each registration for the first time is recorded in the land book, and how the bookkeeping is arranged in village-by-village land registration, including the measurement and mapping of each right, as an

excerpt from the measurement from the list of measurement letters. As has been explained, every difficulty in bookkeeping for the first time, according to the system before the enactment of Government Regulation Number 24 of 1997 with the "Uitsijzings Procedure," which means that a person who occupies a plot of land in an orderly and uninterrupted manner and good faith can obtain rights through a decree from a district court to have a right to land.

h. Registration system for the transfer of rights and encumbrances.
Every land transfer must be registered in the actual register, and the Land Deed Making Officer (PPAT) must send the file to the Land Office because of his position. For the sake of order, PPAT is the only official with the authority to make a deed of land in his working area. Likewise, suppose there is a mutation due to an auction. In that case, within 3 (three) days before the auction, the auction office must request a certificate of land registration (SKPT) from the land registration office, which is now called the Land Office.

With registration, a person will acquire uncontestable rights, even if it is later revealed that persons listed as holders of these rights are not the actual holders. In order for the genuine landowners to lose their rights and be unable to demand the return of their land, they must file an objection with the Land Office and demand monetary compensation from the state. If it turns out that there is a legitimate landowner, insurance monies will be used to compensate them. No longer is it possible to alter the land book, unless the land certificate was obtained by written forgery or fraud.

The Implementation of Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration contains the 3R provisions: Right, Restriction and Responsibility. Government Regulation Number 18 of 2021 was made based on the mandate of Law Number 11 of 2020 concerning Job Creation (UUCK) to simplify regulations and licenses to encourage the investment climate. The government will provide convenience on several detailed policies on Management Rights, Flat Units, Land Rights, and Land Registration but will still provide strict supervision and evaluation.

This Government Regulation Number 18 of 2021 replaces several Government Regulations (PP) and several articles, such as PP Number 40 of 1996 concerning Business Use Rights, Building Use Rights, and Land Rights, PP Number 103 of 2015 concerning Ownership of Residential or Residential Houses by Foreigners Domiciled in Indonesia and two articles in PP Number 24 of 1997 concerning Land Registration.

Quoting information from the ATR/BPN Ministry, for information, this PP is a further provision of Articles 136-142 concerning Strengthening Management Rights, Articles 143-145 concerning Flats Units, Article 146 concerning Management Rights/Land Rights on Space on Land and Basement, and Article 147 and Article 175 concerning Use of Electronic Documents. In the context of Management Rights, it is hoped that the state can regulate land to control the problem of limited land and space. Not only that, the state can regulate land ownership and use of land so that it is properly regulated and that land remains beneficial to the state according to its

function.

Apart from that, PP 18 2021 also regulates the period cycle for Land Rights (HAT). One cycle consists of granting, extending, and renewing rights. The convenience provided by the government is that the government will extend the HAT after the land has been used or utilized. If, in the past, for example, the HAT period was 30 years and could be renewed, if not now, the land must have been used. Check out a deeper explanation regarding PP 18 2021 in the following points:

a. Explanation of Government Regulation Number 18 of 2021
   1). Revoking PP No. 103 of 2015
   2). Revoking PP No. 40 of 1996
   3). Changing PP No. 24 of 1997
b. Regarding Understanding of Government Regulation Number 18 of 2021
   1). Type of Rules
   2). Entity
   3). Year
   4). Title
   5). Date Set
   6). Valid Starting Date
c. Contents of Government Regulation Number 18 of 2021
   1). Land rights
   2). Apartment units
   3). Land Registration

E. CONCLUSION

Legal certainty as proof of land rights, according to Government Regulation Number 24 of 1997 concerning Land Registration and Government Regulation 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, Legal certainty as proof of land rights is that there is a land registration process that guarantees legal certainty. Through the land registration process, the evidence of land rights obtained is in the form of a certificate of land rights. Proof of land rights must become proof of legal ownership of land because certificates of land rights arise through land registration which is preceded by an examination of the evidence of ownership of land rights, such as examination of the deed of sale and purchase and other rights, so that it can be known about who is the holder of land rights, when the rights over the land were transferred, and who is the new right holder, including if the land is encumbered with mortgage rights. In proving land rights, the existence of a certificate of land rights as an authentic deed is perfect evidence so that in a formal juridical manner, every certificate of land rights has a plus value because every certificate of land rights is in the form of an authentic deed and is perfect proof always has 2 (two) the strength of evidence, namely the strength of proof of birth certificates of land rights and the strength of formal evidence of certificates of land rights.

Then in the public service system related to the implementation of land registration activities as proof of ownership of land rights, there are 8 (eight) types,

namely: Registration of deeds system; Registration system; Torren System (Torren Act); Publication System; Specialty system; Cadastral rechts system (cadaster of rights); Bookkeeping system; and the registration system for the transfer of ownership and encumbrances. With registration, individuals will obtain rights that cannot be challenged, even if it is later demonstrated that those registered as holders are not the actual holders. In order for the actual landowners to lose their rights and be unable to demand the return of their land, they must file an objection with the Land Office and demand compensation in the form of monetary compensation. If there is a legitimate landowner, insurance funds will be used to compensate them. Changing the land book is no longer possible, unless the land certificate was obtained through written forgery or fraud.

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